UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

JAMES HEARNS, JR., : Case No. 1:02cv00496

:

Plaintiff, : (Judge Bertelsman)

:

vs. :

: PLAINTIFF'S NOTICE OF MANUAL

JEFF WYLER FAIRFIELD, et. al., : FILING OF APPENDIX TO PLAIN-

TIFF'S RESPONSE TO DEFENDANTS

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Defendants. : MOTION FOR SUMMARY

JUDGMENT

Now comes Plaintiff, James Hearns, Jr., by and through his undersigned counsel, and hereby gives notice that the Appendix to Plaintiff's Response in Opposition to Defendants Motion for Summary Judgment was manually filed with the District Clerk on June 29, 2005. Further, a copy of the Appendix was mailed to counsel for defendants on the same date.

Respectfully Submitted,

/s/ Bryan R. Perkins

Bryan R. Perkins (0061871) Trial Counsel for Plaintiff 119 E. Court Street Suite 314 Cincinnati, Ohio 45202 (513) 632-5335 (513) 721-5824 Fax

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I certify that on June 29th, 2005, I electronically filed the foregoing document with the clerk of court using the CM/ECF system which will send notification of such filing to Donald W. White, Esq., 237 Main Street, Batavia, Ohio 45103.

/s/ Bryan R. Perkins

Bryan R. Perkins (0061871) Attorney at Law